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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,537	03/12/2004	Li-Kong Wang	728-228 CON (YOR9-2002-00)	7838
28249	7590	12/19/2005	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			CUNNINGHAM, TERRY D	
			ART UNIT	PAPER NUMBER
			2816	

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/799,537

Applicant(s)

WANG ET AL.

Examiner

Terry D. Cunningham

Art Unit

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Summary of changes in this action

1. The Interview Summary stated that the rejection to the claims under 35 U.S.C. § 112, first paragraph, had been overcome. However, contrary thereto, only one issue under 35 U.S.C. § 112, first paragraph, had been overcome. This Action reinstates the non-enablement rejection with some change in arguments.
2. Claims 13-21 have been cancelled thus rendering the rejections thereto moot.
3. New indefiniteness rejection are made to claims 1-12.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-12 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The specification fails to adequately describe the circuit of Fig. 4. The operation for the circuit of Fig. 4 is discussed in lines 4-20 of page 8, however this discussion is not consistent with what would be understood by one skilled in the art. Contrary to what is stated in this section, a “voltage having a level equal to V_H minus threshold drops of FET devices F1 and F2 is provided to the regulator”, when transistor F3 is off, rather than when it is on. Since V_H will forward bias “F1 and F2”, such will be on providing V_H minus the thresholds to regulator 412.

Further, the new language stating “When both PCS(x) and CES(x) are “high”, CS(x) switches FET F3 “on” and a voltage having a level equal to V_H minus threshold drops of FET devices F1 and F2 is provided to the regulator system 412” would be understood by one skilled in the art to be incorrect. As seen, when CS(x) is low, transistor F3 will be diode-connected, rather than being turned “on”. Transistors F3 is either diode-connected or off. When F3 is diode connected (when CS(x) is low), V_I provided to 412 will equal to zero plus the diode drop of F3, contrary to what is stated in the specification.

Examiner notes that if element G1 were an AND gate and transistor F3 were an N-channel transistor, V_H minus the “threshold drops” of F1 and F2 would be provided to 412 when either PCS(x) or CES(x) are low (i.e., N-channel transistor would be off) and ground will be provided to 412 when both PCS(x) and CES(x) are high (i.e., N-channel transistor would be on).

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 15, “at least one voltage level” has already been recited in lines 1-2.

Claims 2-12 are rejected as not overcoming the indefiniteness discussed above with claim 1.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. §102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2816

A person shall be entitled to a patent unless —

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-12 are rejected under 35 U.S.C. §102(b) as being anticipated by Mullarkey (USPN 6,005,812).

With respect to claims 1-12 and 21, Mullarkey discloses, in Figs. 1-3, a circuit comprising: “a plurality of local DC voltage generators (see Col. 5, lines 6-11, which state that each device can include a DRAM device 10, as in Fig. 1)”, each having “at least one regulator system (27-52 of Fig. 2), a power control unit (16) and a clock control unit (providing Test)”, “each regulator system receives a power control signal (CLK)...and a clock control signal (Test) and outputs a pump control signal (output of 27)” the is “based on a reference voltage (supply voltage of 27)”, and “a pump system (remainder of Fig. 2)...output at least one voltage level (Vccp)”, all connected and operating similarly as recited by Applicant.

Examiner has fully considered Applicant’s remarks for the above rejection and has not found them to be persuasive. Contrary to Applicant’s remarks, the reference to Mullarkey is providing “two different voltages”, as provided above.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Terry Cunningham whose telephone number is 571-272-1742. The examiner can normally be reached on Monday-Thursday from 7:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Timothy P. Callahan can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2816

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TC
December 13, 2005


Terry D. Cunningham
Primary Examiner
Art Unit 2816